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May 19, 2023

**VIA ECF**

Honorable Vera M. Scanlon  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Valentine v. City of New York et al., 21-CV-4867 (EK) (VMS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney assigned to the defense in the above-referenced matter. The Parties write in accordance with Your Honor's Order dated May 9, 2023 to submit a joint proposed revised discovery schedule.

By way of background, on May 9, 2023, the Court held a settlement conference. At the settlement conference, the Court ordered Plaintiff's counsel to convey a demand to Defendants' counsel by May 15, 2023. At the settlement conference, defense counsel requested 30 days from receiving the demand to respond and the Court ordered that Defendants reply to Plaintiff's demand by May 16, 2023, one day after provides his demand. (Dkt. Entry dtd May 9, 2023). The Parties respectfully request an extension to allow Defendants to respond to Plaintiff's demand by June 14, 2023.

The Court further ordered the Parties to submit a joint proposed revised discovery schedule. The Parties respectfully request that the Court adopt the following discovery schedule:

Responses to Document Requests and Interrogatories due: July 21, 2023

Amendment of Pleadings due: August 18, 2023<sup>1</sup>

Depositions of Fact Witnesses due: October 12, 2023

Close of Fact Discovery: October 12, 2023

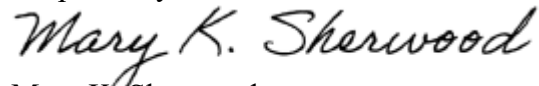
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<sup>1</sup> As indicated in Your Honor's May 9, 2023 Order, Counsel will be conferring regarding Plaintiff's anticipated request to toll the statutes of limitations. The parties have not yet discussed the request and therefore this deadline does not waive any rights of Defendants to oppose Plaintiff's anticipated request.

Expert Disclosures: October 12, 2023  
Expert Reports Due: November 13, 2023  
Rebuttal Expert Reports Due: December 13, 2023  
Expert Depositions Due: January 24, 2023  
Close of Expert Discovery: January 24, 2023

Accordingly, the Parties respectfully request that the Court extend its previously issued deadline for defendant *nunc pro tunc* and adopt the discovery schedule set forth herein. Thank you for your consideration herein.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary K. Sherwood". The signature is written in a cursive, flowing style.

Mary K. Sherwood  
*Assistant Corporation Counsel*  
Special Federal Litigation Division

Cc: All Counsel of Record (via ECF)